

**AGENDA**  
**February 22, 2016**

**Regular Meeting**  
**Mayor and Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

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**CALL MEETING  
TO ORDER**

The meeting will be called to order at 7:30 p.m.

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**SALUTE TO FLAG**

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**MOMENT OF SILENCE**

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**STATEMENT OF  
ADEQUATE NOTICE**

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board on the main floor of Borough Hall, emailed to the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and The Alternative Press and filed with the Borough Clerk, all on January 11, 2016.

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**ROLL CALL**

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council President James Lonergan  
Council Member Victoria Fife  
Council Member Gerald J. Helfrich  
Council Member Leonard Resto  
Council Member Peter Hoffman  
Robert J. Falzarano, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Robin R. Kline, Borough Clerk

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**PROCLAMATIONS**

**NATIONAL NUTRITION MONTH® · MARCH 2016**

**WHEREAS**, the Mayors' Wellness Campaign of the Chathams recognizes that food is the substance by which life is sustained; and

**WHEREAS** the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

**WHEREAS**, there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices.

**BE IT RESOLVED**, that I, Bruce A. Harris, Mayor of the Borough of Chatham, together with the Council and the Mayors' Wellness Advisory Committee, encourage all citizens to celebrate the month of March as

NATIONAL NUTRITION MONTH®

and in doing so, become more informed about their food choices and nutrition, and develop sound eating and physical activity habits, to achieve optimum health for both today and tomorrow.

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## **RESOLUTION #16-123**

### **RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED**, by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

February 8, 2016

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

February 8, 2016

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### **DISCUSSION ITEMS**

1. Drug Free Communities Grant – Lisa DeRosa, Board of Health President
  2. Artisans Guild Festival – Bill Fagnant
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### **MEETING OPEN TO THE PUBLIC**

#### **NOTICE OF PUBLIC COMMENT TIME LIMIT**

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

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### **ORDINANCE FOR SECOND READING**

Mayor Harris asks Council Member Fife to proceed with Ordinance #16-01.

Council Member Fife reads Ordinance #16-01 entitled:

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY PROVIDING FOR  
THE VACATION OF A PORTION OF THE STREET KNOWN AS PERRIN STREET  
IN THE BOROUGH OF CHATHAM**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on February 8, 2016.

Mayor Harris asks the Borough Clerk to give a summary of the legal notice.

The Borough Clerk states: A legal notice was published indicating that Ordinance #16-01 was introduced and passed on first reading at the February 8, 2016 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on February 22, 2016 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Harris: The meeting is now open for a public hearing on the Ordinance and any member of the public may be heard.

Mayor Harris: Seeing no one else wishing to be heard, I will now close the public hearing.

Council Member Fife: I offer the following Ordinance and move its adoption:

**BE IT RESOLVED**, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Harris asks the Borough Clerk for a Roll Call Vote.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						
Fife						
Helfrich						
Resto						
Hoffman						

Mayor Harris: I declare this Ordinance adopted and finally passed and request the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

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## REPORTS

### Council Committees

#### **Budget and Finance**

Council President James Lonergan

#### **Long Range Traffic & Pedestrian Safety Planning**

Council Member James J. Collander

#### **Public Safety & Emergency Services**

Council Member James J. Collander

#### **Personnel**

Council Member Leonard Resto

#### **Public Works Planning/Community Services**

Council Member Victoria Fife

#### **Shared Services & 3<sup>rd</sup> Party Agreements**

Council Member Gerald Helfrich

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## MAYOR'S REPORT

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## ADMINISTRATOR'S REPORT

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## CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolution #16-124 through Resolution #16-131 have been placed on the Consent Agenda.

**RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA  
FOR DISCUSSION AND VOTE**

**RESOLUTION #16-**

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**CONTRACTS**

**RESOLUTION #16-124**

**RESOLUTION APPROVING A CONTRACT BY AND BETWEEN THE BOROUGH OF  
CHATHAM AND PBA LOCAL NO. 226**

**WHEREAS**, negotiations were entered into between the Borough of Chatham and PBA Local No. 226 for purposes of collective bargaining with respect to rates of pay, hours of employment and other terms and conditions of employment for all full time police officers who are members of the Chatham PBA Local No. 226; and

**WHEREAS**, as a result of these negotiations an agreement was reached by the parties.

**BE IT RESOLVED** by the Council of the Borough of Chatham that the contract between the Borough of Chatham and PBA Local No. 226 for the period January 1, 2016 through December 31, 2017 is hereby approved; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute the collective bargaining agreement with PBA Local No. 226 on behalf of the Borough.

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**FINANCE**

**RESOLUTION #16-125**

**RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

**WHEREAS**, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

**BE IT RESOLVED** by the Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

**RESOLUTION #16-126**

**RESOLUTION AUTHORIZING THE CANCELLATION OF CHECKS**

**WHEREAS**, the Borough of Chatham issued the following checks for payment of goods and services, which have not been presented for payment by the parties to whom the checks were issued:

**WHEREAS**, the Chief Financial Officer has recommended the cancellation of the following checks:

<u>CHECK NO.</u>	<u>DATE ISSUED</u>	<u>PAYEE</u>	<u>AMOUNT</u>
<u>CURRENT (GENERAL)</u>			
38585	10/10/2013	Girl Scout: 1810	\$125.00
38659	10/15/2013	Mia Property LLC	\$ 84.35
39468	03/24/2014	Beyer Fleet	\$375.00
39660	04/28/2014	Archer Gina	\$ 25.00
39881	06/09/2014	Shannon Norton	\$247.92
41916	07/27/2015	Recorder Publishing Co. Inc.	\$ 27.44
<u>RECREATION</u>			
584	7/15/2011	Natalie R. Washuta	\$ 92.16

And,

**WHEREAS**, the Chief Financial Officer has recommended the cancellation of these checks.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Chief Financial Officer is hereby authorized to cancel the herein referenced checks and that the funds represented shall be credited to the appropriate fund balances.

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## **PERSONNEL**

### **RESOLUTION #16-127**

#### **RESOLUTION AUTHORIZING THE APPOINTMENT OF NADIA BRIGATI AS DEPUTY CLERK/ADMINISTRATIVE ASSISTANT**

**WHEREAS**, the Borough of Chatham publicly advertised and solicited resumes from candidates for the appointment of a Deputy Clerk/Administrative Assistant; and

**WHEREAS**, interviews were conducted of interested and qualified candidates; and

**WHEREAS**, after considering all qualified candidates, the selection committee determined that Ms. Nadia Brigati is the best qualified candidate for the position of Deputy Clerk/Administrative Assistant and has recommended her appointment to the Mayor and Council.

**BE IT RESOLVED**, that in accordance with N.J.S.A. 40A:9-135 and Chapter 39, §39-1 of the Revised General Code of the Borough of Chatham, Ms. Nadia Brigati is hereby appointed to the position of Deputy Clerk/Administrative Assistant effective February 29, 2016; and

**BE IT FURTHER RESOLVED**, that the annual gross salary for this position shall be \$42,500.00, to be pro-rated for the remainder of 2016 and paid in such amounts and at such times as set forth in the Borough of Chatham salary ordinance and the Employee Manual; and

**BE IT FURTHER RESOLVED**, that the other terms and conditions of Ms. Nadia Brigati's appointment are contained in a letter from the Assistant Borough Administrator dated January 29, 2016.

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## **OTHER**

### **RESOLUTION #16-128**

#### **RESOLUTION AUTHORIZING THE SUBMISSION OF A 2015 RECYCLING TONNAGE GRANT APPLICATION**

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act, P.L.1987, c.102; and

**WHEREAS**, the Mandatory Source Separation and Recycling Act established a recycling fund from which recycling tonnage grants may be made to municipalities to encourage local source separation and recycling programs; and

**WHEREAS**, it is the spirit and intent of the Mandatory Source Separation and Recycling Act to use the recycling tonnage grants to help communities develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the regulations impose on municipalities certain requirements as a condition for

applying for recycling tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, the most recent total tonnage of recycled materials certified by the NJDEP was 19,596.97 tons in 2013; and

**WHEREAS**, this resolution authorizing the Borough to apply for a 2015 Recycling Tonnage Grant memorializes the Borough's commitment to recycling materials and compliance efforts with the requirements of the Mandatory Source Separation and Recycling Act and recycling regulations.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the submission of a 2015 Recycling Tonnage Grant application to the NJDEP and designates Stan Serbanica to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED**, that the monies received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund by the Chief Financial Officer to be used solely for the purposes of recycling; and

**BE IT FURTHER RESOLVED**, that all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

#### **RESOLUTION #16-129**

#### **RESOLUTION REQUESTING THE BOROUGH OF MADISON TO AUTHORIZE THE MADISON DEPARTMENT OF HEALTH TO SUBMIT A DRUG FREE COMMUNITIES GRANT APPLICATION ON BEHALF OF THE MADISON/CHATHAM COALITION FOR A HEALTHY COMMUNITY**

**WHEREAS**, the Madison Borough Department of Health sponsors the Madison/Chatham Coalition for A Healthy Community (the "Coalition"); and

**WHEREAS**, the Coalition has met all requirements to apply for a \$125,000.00 Drug Free Communities Grant on behalf of the communities of Madison Borough, Chatham Borough and Chatham Township; and

**WHEREAS**, the Coalition will continue to develop and implement initiatives to minimize and prevent substance abuse in our communities; and

**WHEREAS**, the Drug Free Communities Grant will run from September 30, 2016 through September 29, 2017 and will be renewable for up to nine (9) additional years to off-set the Coalition's costs; and

**WHEREAS**, there is a 100% match requirement that will be met through existing resources and in-kind donations and will not require additional funds from any of the participating communities; and

**WHEREAS**, additional resources will need to be included in the Madison Department of Health's budget, in an amount not to exceed \$125,000.00, which will be reimbursed by way of this grant should the application be successful.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, County of Morris, in the State of New Jersey that it hereby requests the governing body of the Borough of Madison to authorize the Madison Department of Health to apply for the \$125,000.00 Drug Free Communities Grant on behalf of the Madison/Chatham Coalition for A Healthy Community; and

**BE IT FURTHER RESOLVED**, that all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

## **RESOLUTION #16-130**

### **RESOLUTION AUTHORIZING THE CHATHAM AREA ARTISANS GUILD TO HOLD A FINE ARTS AND CRAFTS FAIR AND A CAR SHOW ON SEPTEMBER 11, 2016 AT THE CHATHAM TRAIN STATION SOUTH PARKING LOT**

**WHEREAS**, the Chatham Area Artisans Guild will be hosting a Fine Arts and Crafts Fair and a Car Show on Sunday, September 11, 2016 from 10:00 a.m. until 5:00 p.m. at the Chatham train station south parking lot to help raise awareness of its individual member artists and their businesses and to reach out to area residents with art education and exhibits; and

**WHEREAS**, to accommodate this event, the Chatham Area Artisans Guild has requested that all or a portion of the Chatham train station south parking lot be closed from 6:00 a.m. until 7:00 p.m. on the date of the event; and

**WHEREAS**, Chatham Borough supports the Chatham Area Artisans Guild and its Fine Arts and Crafts Fair and the Car Show.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the use of the Chatham train station south parking lot for the Chatham Area Artisans Guild's Fine Arts and Crafts Fair and the Car Show on Sunday, September 11, 2016; and

**BE IT FURTHER RESOLVED**, that all or a portion of the Chatham train station south parking lot is hereby authorized to be closed from 6:00 a.m. until 7:00 p.m. on the date of the event, subject to the approval of the Chief of Police; and

**BE IT FURTHER RESOLVED**, the Facilities Use Application and required documentation are to be submitted to the Department of Community Services and that the Borough of Chatham is to be listed as an additional insured with a minimum coverage limit of \$1,000,000 for this event; and

**BE IT FURTHER RESOLVED**, that policing services and other related services and expenses incurred by the Borough for this event shall be paid by the Chatham Area Artisans Guild; and

**BE IT FURTHER RESOLVED**, that all other Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

## **RESOLUTION #16-131**

### **RESOLUTION APPROVING THE INSTALLATION OF A MEMORIAL BENCH**

**WHEREAS**, the Mayor and Borough Council have received a request from Nicole and Peter DiMaggio seeking to purchase and install a memorial bench at the corner of Main Street and Hillside Avenue to honor Borough residents Dr. Albert Ritter and his wife, Janis Joseph, for their life-saving actions and medical care administered to their young son who was seriously injured by a car on Main Street in Chatham in October 2014; and

**WHEREAS**, Dr. Ritter, a Morristown Medical Center emergency room doctor, and his wife, Janis Joseph, immediately began administering life-saving first aid and medical care to the DiMaggio's young son until the Chatham Emergency Squad arrived and continued medical attention to him in the ambulance to the hospital and made sure all the necessary emergency room staff was available upon their arrival; and

**WHEREAS**, Nicole and Peter DiMaggio credit Dr. Ritter and his wife, Janis Joseph, with saving the life of their son; and

**WHEREAS**, the DiMaggio's will donate the funds to cover the cost of purchasing and installing the memorial bench; and

**WHEREAS**, the type of bench to be installed and exact location of the bench shall be subject to the approval of the Borough Administrator; and

**WHEREAS**, the Mayor and Council wish to approve Nicole and Peter DiMaggio's request for the installation of the memorial bench.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham hereby approves the DiMaggio's request for the installation of a memorial bench to be located at the corner of Main Street and of Hillside Avenue to honor Borough residents Dr. Albert Ritter and his wife, Janis Joseph; and

**BE IT FURTHER RESOLVED**, that all Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

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**CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #16-124 through #16-131.

Council Member \_\_\_\_\_: I would like to make a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Council.

Seconded by Council Member:\_\_\_\_\_.

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**ADD-ON RESOLUTIONS**

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**RESOLUTION REQUIRING SEPARATE ACTION**

**RESOLUTION #16-132**

**RESOLUTION AUTHORIZING TRANSFERS BETWEEN CERTAIN BUDGET RESERVE APPROPRIATIONS IN THE 2015 CURRENT FUND BUDGET PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, N.J.S.A. 40A:4-58 provides that transfers may be made between appropriation accounts in the General Budget in the last two months of the fiscal year and within the first three months of the new fiscal year; and

**WHEREAS**, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in lesser amounts than anticipated; and

**WHEREAS**, these transfers do not affect the total of the operations budget as originally approved in the 2015 Current Fund Budget.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the Chief Financial Officer is hereby authorized to make the following line-item transfers in the 2015 Current Fund Budget with an effective date of February 22, 2016 in accordance with N.J.S.A. 40A:4-58:

CHATHAM BOROUGH			
BUDGET TRANSFERS - 2015			
Account Name	Account Number	Transfer To	Transfer From
TO			



Environmental OE	5-01-27-335-200	\$550.00	
Legal OE	5-01-20-155-200	\$20,500.00	
Tax Assessment OE	5-01-20-150-200	\$4,500.00	
Street Lighting OE	5-01-31-435-200	\$5,000.00	
FROM			
Farmers Market OE	5-01-30-430-200		\$550.00
Clerk S&W	5-01-20-120-010		\$6,500.00
Planning OE	5-01-21-180-200		\$4,000.00
Group Insurance OE	5-01-23-220-000		\$14,500.00
Telephone OE	5-01-31-440-200		\$5,000.00
TOTALS		\$30,550.00	\$30,550.00

And,

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body shall be forwarded to the Borough Administrator and to the Chief Financial Officer.

Mayor Harris asks the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						
Fife						
Helfrich						
Resto						
Hoffman						

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## RESOLUTION #16-133

### RESOLUTION TO ADJOURN INTO CLOSED SESSION

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it shall adjourn into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

- |                            |  |
|----------------------------|--|
| Attorney-Client Privilege: | 1. Facilities Use – Mr. Lott                                 |
| Litigation Matter:         | 1. Affordable Housing Declaratory Judgment Action – Mr. Lott |
| Contract Matter:           | 1. Special Legal Counsel – Mayor Harris                      |
|                            | 2. Madison-Chatham Joint Meeting – Mr. Falzarano             |

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will not return to public session after this closed session.

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## ADJOURNMENT